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Attorneys for Plaintiff craigslist, Inc.

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MySpace, Inc., a Delaware corporation,

Plaintiff,

v.

GraphOn Corporation, a Delaware
corporation,

Defendant.

CASE NO. 3:10-CV-00604-CRB

CASE NO. 3:10-CV-01156-CRB

**JOINT STIPULATION TO
CONSOLIDATE RELATED CASES;
[PROPOSED] ORDER**

GraphOn Corporation,
Third-Party Plaintiff,
vs.
Fox Audience Network, Inc.,
Third-Party Defendant.

craigslist, Inc.
Plaintiff,
vs.
GraphOn Corporation,
Defendant.

The parties in *craigslist v. GraphOn*, Case No. 3:10-CV-01156-CRB and *MySpace v. GraphOn*, Case No. 3:10-CV-00604-CRB, by and through their counsel of record, stipulate as follows:

Pursuant to the Local Rule 7-12 and Fed.R.Civ.P. 42, the parties in the above-captioned matters stipulate and request a court order to consolidate the two related cases *MySpace v. GraphOn*, Case No. 3:10-CV-00604-CRB and *craigslist v. GraphOn*, Case No. 3:10-CV-01156-EMC as follows:

WHEREAS, the *MySpace* complaint was filed on February 2, 2010;

WHEREAS, the *craigslist* complaint was filed on March 18, 2010; and

WHEREAS, the Court determined that the two cases were related within the meaning of Civil Local Rule 3-12(a) and issued a Related Cases Order in both cases on April 15, 2010 to that effect;

WHEREAS, counsel for the parties have conferred, and the parties are in agreement that the *craigslist* action should be consolidated with the *MySpace* action for all purposes because the cases involve similar complaints and common questions of law or fact, and because

consolidation would advance the interests of judicial economy;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs and Defendant, that:

1. Pursuant to Federal Rule of Civil Procedure 42(a), the above-captioned actions are hereby consolidated for all purposes into one action.

2. These actions shall be referred to herein as the "Consolidated Actions." The Master Docket and Master File for the Consolidated Actions shall be Civil Action No. 3:10-CV-00604-CRB.

3. All orders, pleadings, motions and other documents shall, when filed and docketed in the Master file, be deemed filed and docketed in each individual case to the extent applicable.

4. This stipulation is without prejudice to any other rights that any party may have.

Dated: May 11, 2010

By: /s/ Michael D. Rounds

Michael D. Rounds

Melissa P. Barnard (*Pro Hac Vice*)

Adam Yowell (*Pro Hac Vice*)

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Attorneys for Defendant GraphOn Corp

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing
Stipulation to Consolidate Related Cases. In compliance with General Order 45.X.B, I hereby
attest that the other signatories to this filing have concurred in this filing.

Dated: May 11, 2010

Respectfully submitted,

WATSON ROUNDS

By /s/ Michael D. Rounds

Michael D. Rounds

Attorney for Defendant GraphOn Corp.

~~[PROPOSED]~~ ORDER

The above stipulation having been considered and good cause appearing therefore,

IT IS SO ORDERED.

DATED: May 13, 2010

UNITED STATES DISTRICT COURT

